

REMARKS

This is in response to the Office Action that was mailed on November 16, 2005. Non-elected claims 7 and 8 have been cancelled, without prejudice. In claim 1, the processing originally recited as the second step of the method “measuring a salt concentration … which is generated … in said electrolytic treatment” is recited as two separate steps for greater clarity. The phrase “said electrolytic current” is changed to “an electrolytic current” near the end of the claim. An idiomatic correction has been made in claim 3. No new matter is introduced by this Amendment. Claims 1-6 are pending in the application.

Restriction

Restriction was required between (I.) claims 1-6 and (II.) claims 7-8. Applicant confirms the election of group (I.).

Objection

Objection was raised to claim 1, as lacking proper antecedent basis for the recitation of “said electrolytic current” near the end of the claim. The phrase “said electrolytic current” no longer appears in the claim, thereby obviating this ground of rejection.

Prior art

Claims 1-6 were rejected under 35 USC § 103(a) as being unpatentable over “the admission in the background section of the specification of the instant application (page 1 line 14 – [page] 2 [line] 8” in view of US 6,521,112 B1 (Balisky). The rejection is respectfully traversed.

CLAIMS 1-6:

A crucial part of the rejection is the allegation that Applicant admits that “measuring a salt concentration of salt which is generated by ionizing part of said metallic material in said electrolytic solution in said electrolytic treatment” is known. The portion of the specification upon which the Examiner relies says nothing about ionizing part of the metallic material in an electrolytic solution. Thus, Applicant denies that he has made the alleged admission.

Another crucial feature of the rejection stated in the Office Action is the allegation that using a controller would inherently include adding a dilution liquid or a fresh acid. No basis is seen in the record for this allegation, and Applicant also denies that he has made this alleged allegation.

Therefore, inasmuch as the rejection as stated by the Examiner depends upon alleged “admissions” which are expressly denied by Applicant, it is respectfully submitted that the Examiner has failed to state a sustainable rejection against any of claims 1-6 herein.

CLAIMS 2-6:

Claims 2-6 are not properly rejected for the additional reason that their rejection depends on the statement “the method of the admitted prior art in view of Balisky would inherently include calculation a feed cycle of adding a predetermined amount of said diluting liquid from said measured salt concentration and said current value”. The Examiner is respectfully requested to identify the portion of the admitted prior art or of the Balisky disclosure which deals with or suggests or inherently discloses calculation of feed cycles.

CLAIM 3:

In rejecting claim 3, the Examiner refers to “an objected acid concentration”. The Examiner is respectfully requested to identify the portion of the admitted prior art or of the

Balisky disclosure which deals with or suggests or inherently discloses “an objected acid concentration”.

CLAIMS 4-6:

Claims 4-6 are not properly rejected for the additional reason that their rejection depends on the statement “the method of the admitted prior art in view of Balisky would inherently include that the current value is I, and A and B are optional constants”, *etc.* The Examiner is respectfully requested to identify the portion of the admitted prior art or of the Balisky disclosure which deals with or suggests or inherently discloses that the current value is I and that A and B are optional constants.

CONCLUSION:

Applicants respectfully submit that at least because the rejection as stated by the Examiner depends upon alleged “admissions” which are expressly denied by Applicant, the Examiner has failed to state a sustainable rejection against any of claims 1-6 herein. Withdrawal of the rejection of record, and passage of this application to Issue, are respectfully solicited.

Contact

If there are any questions, the Examiner is invited to contact Richard Gallagher, Registration No. 28,781, at (703) 205-8008.

Application No. 10/816,830
Amendment dated March 14, 2006
Reply to Office Action of November 16, 2005

Docket No.: 1259-0248PUS1

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: **MAR 16 2006**

Respectfully submitted,

By 
RG

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